IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

MONDAY, THE 5TH FEBRUARY 2007 / 16TH MAGHA 1928

WP(C).No. 34363 of 2006(N)

PETITIONER:

MAHILA PRADHAN AGENTS WELFARE SOCIETY,
COLLECTORATE P.O., KOTTAYAM REPRESENTED BY ITS
SECRETARY, VALSA M.G.

BY ADV. SRI.PHILIP T.VARGHESE
SRI.THOMAS T.VARGHESE

RESPONDENTS:

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1. THE SUPERINTENDENT OF POLICE, KOTTAYAM.

2. THE CIRCLE INSPECTOR OF POLICE,KOTTAYAM.

3. THE SUB INSPECTOR OF POLICE,
EAST POLICE STATION, KOTTAYAM.

BY GOVERNMENT PLEADER ADV. SRI. S.U. NAZER

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 05/02/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P. (C) NO.34363/2006

APPENDIX

PETITIONER'S EXHIBITS:

EXHIBIT.P1: TRUE COPY OF REPORT SUBMITTED BY THE 3RD RESPONDENT TO THE 1ST RESPONDENT DATEDC 10.10.2004

EXHIBIT.P2: TRUE COPY OF REPRESENTATION SUBMITTED BY THE PETITIONER TO THE 3RD RESPONDENT DATED 14.12.2006

(TRUE COPY)

R.BASANT, J

W.P(C).No.34363 of 2006

Dated this the 5th day of February, 2007

JUDGMENT

The petitioner is a Society represented by its Secretary. She is aggrieved by the inadequate and insufficient investigation conducted by the Investigating Officer into Crime No.93 of 2004 of Kottayam East Police Station. Report was called for. It was submitted before the Court that the needful is being done for the proper investigation. Not satisfied with that report, the Investigating Officer was directed to file a statement. The statement has been filed. I have gone through the statement dated 30.01.2007 filed by the 3rd respondent. The crime was registered as early as on 05.03.2004. Till this date, no meaningful or effective investigation has been conducted, it is evident from the report. I am satisfied, that the grievance of the petitioner is most justified and that there must be directions issued to a senior police official to take over the investigation and conduct proper and efficient investigation. I am not embarking on a more detailed discussion on the facts involved lest it might prejudice the interests of the parties. Suffice it to say that I am not at all satisfied that a proper and effective investigation has been conducted so far. The 2nd respondent can now be directed to take over the investigation in the crime and conduct an effective and proper investigation. The 1st

respondent can be directed to personally monitor the investigation to be conducted by the 2nd respondent.

2. In the result, this Writ Petition is allowed. It is directed that investigation into Crime No.93 of 2004 shall be conducted personally by the 2nd respondent hereafter under the direct supervision and monitoring by the 1st respondent. Hand over a copy of this order to the learned Government Pleader, who shall convey the order to the 1st and 2nd respondents forthwith.

(R.BASANT, JUDGE)

rtr/-